

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

ALLEN MORSLEY,

Petitioner

v.

DONALD ROMINE,

Respondent

CIVIL NO. 1:CV-01-1003

(Judge Kane)

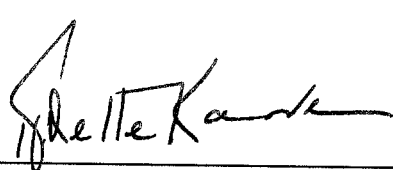
FILED
HARRISBURG

SEP 12 2002

MARY E. D'ANDREA, CLERK
Per DEPUTY CLERK

ORDER

NOW, THIS 11th DAY OF Sept, 2002, upon consideration of the petitioner's motions for leave to conduct and file discovery "for use in the proceedings", IT IS HEREBY ORDERED THAT said motions (Doc. Nos. 18 & 19) are deemed withdrawn for failure to file supporting briefs. See M.D. Pa. Local Rule 7.5. Moreover, the Court notes that while other statutes authorize discovery in collateral challenges to convictions, see Rule 6 following 28 U.S.C. § 2254, such is not the case in § 2241 cases. See Harris v. Nelson, 394 U.S. 286, 294-299 (1969) (holding that the Federal Rules of Civil Procedure regarding discovery do not apply in § 2241 habeas petitions).



YVETTE KANE
United States District Judge

YK:dlb